

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-6708

CLINTON MCDANIELS; ROGER BAILEY,

Plaintiffs - Appellants,

and

HAROLD L. PALMER; EACH AND EVERY OTHER INMATE
IN THE SAME SIMILAR SITUATION,

Plaintiffs,

versus

WILLIAM C. DUNCIL, Warden, Huttonsville Cor-
rectional Center; NICHOLAS J. HUN, Commis-
sioner of the West Virginia Department of Cor-
rections; ROY WHITE, Hospital Administrator;
ANY OTHER PERSON HAVING POWER TO TRANSFER
INMATES FROM ONE PLACE TO ANOTHER,

Defendants - Appellees.

Appeal from the United States District Court for the Northern Dis-
trict of West Virginia, at Elkins. Robert Earl Maxwell, Senior
District Judge. (CA-95-116-2)

Submitted: November 21, 1996

Decided: December 3, 1996

Before HALL, WILKINS, and HAMILTON, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Clinton McDaniels, Roger L. Bailey, Appellants Pro Se. Silas Bent Taylor, Deputy Attorney General, Charleston, West Virginia; Leslie K. Kiser, WEST VIRGINIA DEPARTMENT OF CORRECTIONS, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Appellants, West Virginia inmates, appeal the district court's order denying relief on their 42 U.S.C. § 1983 (1994) action pursuant to 28 U.S.C. § 1915(d) (1994), amended by Prison Litigation Reform Act, Pub. L. No. 104-134, 110 Stat. 1321 (1996). We have reviewed the record and the district court's opinion and find that this appeal is frivolous. Accordingly, we dismiss the appeal on the reasoning of the district court. McDaniels v. Duncil, No. CA-95-116-2 (N.D.W. Va. Apr. 15, 1996). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED